

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS :	Dazhi CHEN <i>et al.</i>	CONFIRMATION NO.:	3675
SERIAL NUMBER :	09/461,336	EXAMINER:	Asfand M. Sheikh
FILING DATE :	December 15, 1999	ART UNIT:	3627
FOR :	SYSTEM AND METHOD FOR REDUCING EXCESS CAPACITY FOR RESTAURANTS AND OTHER INDUSTRIES DURING OFF-PEAK AND OTHER TIMES		

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants hereby make of record in the above-identified application the documents listed on the attached Form PTO-1449.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This Supplemental Information Disclosure Statement is being filed more than three months after the filing date of a national application other than a continued prosecution application under 37 C.F.R. §1.53(d), or more than three months after the date of entry of the

national stage as set forth in 37 C.F.R. §1.491 in an international application, and after the mailing date of the first Office Action on the merits, but before the mailing date of any of a Final Action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).

Please charge the \$180.00 fee [37 C.F.R. §1.17(p)] to Deposit Account No. 03-3975. In addition, please charge any fee deficiencies, or credit any overpayment, to Deposit Account No. 03-3975 as needed to ensure consideration of the Supplemental Information Disclosure Statement.

The items 1A-1J, 1K-1Q 2A-2N, 3A-3M, and 4A-4H listed in the accompanying Form PTO-1449 were either cited in: (1) *Inter Partes* Reexamination Control No. 95/000,510 or (2) *Mount Hamilton Partners, LLC v. OpenTable, Inc.*, No. C 09 02074 JSW (N.D. CA).

The items 4I and 4J listed in the accompanying Form PTO-1449 were provided by Christopher C. Muller, the Declarant in the Declaration under 37 C.F.R. § 1.132 filed on February 12, 2010 in *Inter Partes* Reexamination Control No. 95/000,510.

Mount Hamilton Partners, LLC v. OpenTable, Inc. (3:09-cv-02074-JSW) was filed in the United States District Court for the Northern District of California on May 12, 2009. On October 21, 2009, OpenTable filed a Motion to Stay Pending Reexamination of U.S. Patent No. 6,741,959. On November 5, 2009, Mount Hamilton filed a Statement of Non-Opposition in response to the Motion to Stay. The Court issued an Order granting the Motion to Stay on December 3, 2009, and a docket entry dated December 4, 2009 formally stayed the case. The Court also ordered the parties to submit a "joint status report regarding the status of the

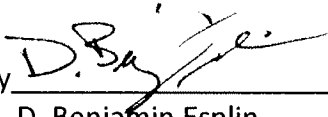
reexamination proceedings every 120 days, or sooner if the PTO issues a final decision with respect to the patent-in-suit, until the stay in this case is lifted." (*Order on Motion to Stay*, Dec. 3, 2009, p. 2.)

OpenTable submitted initial invalidity contentions to Mount Hamilton on October 30, 2009. In the Northern District of California, invalidity contentions are not filed with the Court, so they do not appear on the docket.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449.

Respectfully submitted,

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